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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 TACOMA DIVISION

10 KARENA J. GERDE,

11 Plaintiff,

12 vs.

13 COMMISSIONER OF SOCIAL SECURITY,

14 Defendant.

Civil No. 3:14-CV-05679-MAT

ORDER ON STIPULATED MOTION  
FOLLOWING MANDATE

15 Pursuant to the Mandate of United States Court of Appeals (ECF No. 36), the parties'  
16 Stipulated Motion on the Mandate, and good cause shown, **IT IS HEREBY ORDERED** that  
17 this Court's Order Re: Motion for Equal Access to Justice Act Fees (ECF No. 30), is amended as  
18 follows:

- 19 1. This Court's prior denial of Plaintiff's request for attorney fees pursuant to the Equal  
20 Access of Justice is stricken;
- 21 2. It is ordered that the Commissioner of Social Security will pay Karena Gerde the sum of  
22 \$10,087.10 in full satisfaction of Karena Gerde's EAJA claim in *Gerde v. Berryhill*, Ninth  
23 Circuit No. 18-35576, *Gerde v. Berryhill*, Ninth Circuit No. 15-35418, *Gerde v. Berryhill*,  
24 Western District of Washington No. 3:14-cv-05679-MAT, and of any and all claims,

1 known and unknown, Karena Gerde now has or may hereafter acquire against the Social  
2 Security Administration under the EAJA and arising out of the circumstances giving rise  
3 to these proceedings. If the U.S. Department of the Treasury determines Karena Gerde's  
4 EAJA award is not subject to any offset allowed under the Treasury offset program as  
5 discussed in *Astrue v. Ratliff*, 552 U.S. 1193 (2010), payment of this settlement amount  
6 will be made to Karena Gerde's attorney Eitan Kassel Yanich. This order does not change  
7 or affect the previous award of costs to Karena Gerde.

8 DATED this 17th day of December, 2018.

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11 Mary Alice Theiler  
12 United States Magistrate Judge

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14 Presented by:

15 s/ Lars J. Nelson

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